

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ERMIAS TADESSE,)	1:05-cv-00336-REC-TAG HC
)	
Petitioner,)	ORDER ADOPTING REPORT AND
)	RECOMMENDATION (Doc. 12)
v.)	
)	ORDER DISMISSING PETITION FOR WRIT
ALBERTO GONZALEZ, et al.,)	OF HABEAS CORPUS (Doc. 1)
)	
Respondents.)	ORDER DIRECTING CLERK OF COURT
)	TO ENTER JUDGMENT

Petitioner was detained by the United States Bureau of Immigration and Customs Enforcement ("ICE") and is proceeding with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On May 26, 2005, the United States Magistrate Judge issued a Report and Recommendation that the petition be dismissed because Petitioner, by his own admission, was no longer in ICE custody. (Doc. 12). This Report and Recommendation was served on all parties and contained notice that any objections were to be filed within thirty days from the date of service of that order. To date, the parties have not filed timely objections to the Report and Recommendation.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the

Magistrate Judge's Report and Recommendation is supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Report and Recommendation, filed May 26, 2005 (Doc. 12), is ADOPTED IN FULL;
2. This petition for writ of habeas corpus (Doc. 1), is DISMISSED; and
3. The Clerk of Court is DIRECTED to ENTER JUDGMENT and close the file.

IT IS SO ORDERED.

Dated: July 14, 2005
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/s/ Robert E. Coyle
UNITED STATES DISTRICT JUDGE